

AMENDED IN SENATE MARCH 22, 2010

AMENDED IN SENATE JULY 9, 2009

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AMENDED IN ASSEMBLY MARCH 31, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1177

Introduced by Assembly Members Fong and Hill
(Coauthors: Assembly Members Blumenfield, Chesbro, Fuentes,
Jones, and Portantino)
(Coauthors: Senators DeSaulnier and Lowenthal)

February 27, 2009

An act to add Chapter 7 (commencing with Section 8260) to Division 8 of the Welfare and Institutions Code, relating to homelessness.

LEGISLATIVE COUNSEL'S DIGEST

AB 1177, as amended, Fong. Homelessness: Interagency Council on Homelessness.

Under existing law, several agencies have prescribed responsibilities relating to homeless persons.

This bill would, ~~among other things,~~ create the California Interagency Council on Homelessness, composed of specified members, ~~to construct cross-agency and community cooperation in responding to homelessness, use a more efficient and supportive method in implementing evidence-based approaches to address homelessness, and, to the extent~~

~~possible, plan to end homelessness in the state. This bill would also require the council to submit any reports or documents that it creates, within 90 days of being finalized by the council, to specified committees of the Legislature and to perform other duties as prescribed and performing duties, including preparation of a homelessness state plan, updated every 2 years. It would permit the council to apply for federal funding for its activities.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) California has the highest rate of homelessness and the
- 4 highest ratio of homeless people per resident, with 360,000 people
- 5 sleeping on the streets or in shelters on any given night.
- 6 (b) Homelessness is traumatic for those who suffer it, often
- 7 leading to separated families, exacerbation of health conditions, a
- 8 rise in avoidable emergency room use, social and academic delays
- 9 among children, and greater likelihood of incarceration.
- 10 (c) Many people who lack permanent shelter and the ability to
- 11 access regular support ricochet through separate and expensive
- 12 public systems: overburdened corrections systems, overcrowded
- 13 hospital emergency rooms, mental health programs, substance
- 14 abuse treatment and detox facilities, shelters, and emergency
- 15 housing. As a result, people experiencing chronic homelessness
- 16 use a disproportionate share of state and local services.
- 17 (d) Innovative approaches across the nation and within
- 18 California show promise for reducing homelessness and the
- 19 resulting impact on state services.
- 20 (e) Changing the system and reducing homelessness requires
- 21 coordination and cooperation among federal, state, and local
- 22 governments, as well as private sector organizations.
- 23 (f) Creation of a statewide coordinating council is an important
- 24 and effective tool in supporting initiatives to end homelessness in
- 25 California.
- 26 (g) Creation of a statewide coordinating council would stem
- 27 avoidable costs of maintaining the number of homeless persons

1 and would, therefore, result in reducing avoidable costs to multiple
2 programs.

3 ~~(h) Homelessness affects multiple systems in California,~~
4 ~~including housing, mental health and substance abuse, education,~~
5 ~~corrections, foster care, health care, and veterans services. Though~~
6 ~~most other states have adopted a plan to end homelessness because~~
7 ~~of the cost impact on all of these systems, California has not crafted~~
8 ~~a similar plan. A codified, structured interagency council on~~
9 ~~homelessness would help fill this gap.~~

10 *(h) Homelessness affects multiple systems in California at a*
11 *very high public cost, including housing, mental health and*
12 *substance abuse, education, corrections, foster care, health care,*
13 *and veterans services. Reducing homelessness would produce cost*
14 *savings for all these systems. The state adopted a Ten-Year Chronic*
15 *Homelessness Action Plan in February 2010, but has no*
16 *mechanism in place to assess progress or hold state agencies*
17 *accountable to the action steps in the plan. A codified, structured*
18 *interagency council on homelessness would help fill this gap.*

19 (i) In November 2005, Governor Schwarzenegger created the
20 Governor's ~~Homeless Chronic Homelessness~~ Initiative, which
21 included plans to form an interagency coordinating council to
22 reduce homelessness. The Business, Transportation and Housing
23 Agency's 2005–10 Consolidated Plan further indicates the
24 importance of an interagency council on homelessness. Despite
25 these intentions, a council has not met regularly or publicly since
26 the Governor adopted his ~~Homeless Chronic Homelessness~~
27 Initiative.

28 (j) California must give priority to developing consolidated,
29 coordinated, and cooperative approaches to issues of homelessness,
30 including, but not limited to, specific issues addressing homeless
31 youth, families, veterans, parolees, victims of domestic violence,
32 people with substance abuse or other mental health disorders,
33 people experiencing chronic homelessness, seniors, and disabled
34 people.

35 (k) Working within current costs, a revitalized Interagency
36 Council on Homelessness will reduce duplication of efforts and
37 the costs of homelessness and will redirect resources to more
38 effective approaches, developing a more integrated system and
39 eliminating fragmentation. *Other states have created interagency*
40 *councils without initial investment of resources.*

1 *(l) California is not accessing all of the federal funds for*
2 *homelessness that it should due to a lack of coordination among*
3 *some agencies. Thirty other states apply for funds through the*
4 *McKinney-Vento Homeless Assistance Programs. Application for*
5 *these funds could total millions of dollars, and requires state*
6 *agency collaboration.*

7 SEC. 2. Chapter 7 (commencing with Section 8260) is added
8 to Division 8 of the Welfare and Institutions Code, to read:

9
10 CHAPTER 7. CALIFORNIA INTERAGENCY COUNCIL ON
11 HOMELESSNESS
12

13 8260. For purposes of this chapter, the following definitions
14 shall apply:

15 (a) "Council" means the California Interagency Council on
16 Homelessness.

17 (b) "Stakeholder organization" means a nonprofit or faith-based
18 organization whose primary mission is to prevent or end
19 homelessness, to provide services or health care to people who are
20 homeless, or to create housing for people who are homeless.

21 8261. (a) There is hereby created in state government the
22 California Interagency Council on Homelessness with a mission
23 to construct cross-agency and community cooperation in
24 responding to homelessness, ~~to use a more efficient and supportive~~
25 ~~method in implementing evidence-based approaches to address~~
26 ~~homelessness, and, to the extent possible, plan to end homelessness~~
27 ~~in the state. and to identify and apply for increased federal funding~~
28 ~~to respond to homelessness.~~

29 (b) The Governor shall designate a lead agency ~~that shall seek~~
30 ~~all available federal funding, including, but not limited to,~~
31 ~~McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301~~
32 ~~et seq.) grant and technical assistance funds, for purposes of~~
33 ~~funding the council and its activities. or representative from the~~
34 ~~Governor's staff to direct the work of the council.~~

35 (c) *The council shall seek all available federal funding,*
36 *including, but not limited to, McKinney-Vento Homeless Assistance*
37 *Act (42 U.S.C. Sec. 11301 et seq.) grant and technical assistance*
38 *funds, for purposes of funding the council and its activities.*

39 (e)

40 (d) Membership of the council shall include all of the following:

(1) At least one representative with decisionmaking authority from each of the following:

- ~~(A) The State Department of Alcohol and Drug Programs.~~
- ~~(B) The Department of Community Services and Development.~~
- ~~(C) The Department of Corrections and Rehabilitation.~~
- ~~(D) The State Department of Education.~~
- ~~(E) The State Department of Health Care Services.~~
- ~~(F) The Department of Housing and Community Development.~~
- ~~(G) The California Housing Finance Agency.~~
- ~~(H) The State Department of Mental Health.~~
- ~~(I) The State Department of Social Services.~~
- ~~(J) The Department of Veterans Affairs.~~

~~(2) A representative of the Governor's office.~~

~~(3) A representative of local law enforcement or an organization representing the interests of local law enforcement, to be appointed by the Governor.~~

~~(4) A representative of county government or an organization representing the interests of county government, to be appointed by the Senate Committee on Rules.~~

~~(5) A representative of city government or an organization representing the interests of city government, to be appointed by the Speaker of the Assembly.~~

~~(A) The Department of Corrections and Rehabilitation.~~

~~(B) The Department of Housing and Community Development.~~

~~(C) The State Department of Mental Health.~~

~~(D) The State Department of Social Services.~~

~~(E) The Department of Veterans Affairs.~~

~~(2) Two representatives among local law enforcement, county or city government, or organizations representing these interests. One representative appointed by the Senate Committee on Rules, and one representative appointed by the Speaker of the Assembly.~~

~~(6)~~

~~(3) Representatives of two stakeholder organizations, with one to be appointed by the Speaker of the Assembly and the other to be appointed by the Senate Committee on Rules.~~

~~(7)~~

~~(4) Two people who have experienced homelessness, with one to be appointed by the Speaker of the Assembly and the other to be appointed by the Senate Committee on Rules.~~

~~(d)~~

1 (e) The council may, at its discretion, invite stakeholders, people
2 who have experienced homelessness, members of philanthropic
3 communities, and experts to participate in meetings or provide
4 information to the council.

5 (e)

6 (f) The Governor shall appoint a chairperson and
7 vice-chairperson from among the members of the council. Within
8 current costs, the council may establish working groups, task
9 forces, or other structures from within its membership or with
10 outside members to assist it in its work. Working groups, task
11 forces, or other structures established by the council shall determine
12 their own meeting schedules.

13 ~~(f) Members of the council shall serve without compensation,~~
14 ~~except that the representatives appointed pursuant to paragraph~~
15 ~~(7) of subdivision (c) shall receive compensation if private,~~
16 ~~philanthropic, or other nonstate funding resources are available.~~
17 ~~The council may compensate council staff if the Legislature makes~~
18 ~~a future appropriation, to operate, manage, or conduct the business~~
19 ~~of the council.~~

20 ~~(g) All reports or documents that the council creates shall be~~
21 ~~submitted, within 90 days of being finalized by the council, to the~~
22 ~~Senate Committee on Transportation and Housing, the Senate~~
23 ~~Committee on Human Services, the Assembly Committee on~~
24 ~~Housing and Community Development, and the Assembly~~
25 ~~Committee on Human Services. However, nothing in this chapter~~
26 ~~shall be construed as requiring the council to create a report or~~
27 ~~document.~~

28 *(g) Members of the council shall serve without compensation,*
29 *except that consumer representatives shall receive minimal*
30 *compensation if private funds are available. State funds shall not*
31 *be used to compensate members of the council.*

32 8262. (a) The council shall do all of the following:

33 (1) Hold public meetings at least once every quarter.

34 ~~(2) Act as the lead for coordinating and planning the state's~~
35 ~~response to homelessness, including, but not limited to,~~
36 ~~coordinating funding that the state receives from the federal~~
37 ~~government for the prevention or reduction of homelessness or for~~
38 ~~services delivered to people who are homeless or at risk of~~
39 ~~homelessness.~~

1 (2) *Provide an updated state plan to end homelessness every*
2 *two years and submit this plan to the Speaker of the Assembly and*
3 *the Senate Committee on Rules.*

4 (b) *The council may, but is not required to, do the following:*

5 (1) *Act as the lead for coordinating and planning the state's*
6 *response to homelessness if necessary as a requirement to apply*
7 *for federal funding sources.*

8 ~~(3)~~

9 (2) Discuss potential mechanisms for streamlining the
10 administration of programs across agencies and jurisdictions to
11 reduce duplication, consolidate availability of services, and ease
12 clients' access to services.

13 ~~(4)~~

14 (3) Discuss potential mechanisms for streamlining funding of
15 homelessness programs to leverage existing resources more
16 effectively.

17 ~~(5)~~

18 (4) Solicit input and suggestions from stakeholders, the business
19 community, the concerned public, and other governmental agencies
20 on the most effective strategies to address homelessness.

21 ~~(6)~~

22 (5) Identify best practices from other states in combating
23 homelessness.

24 ~~(7) Within current costs, or provided funding is available for~~
25 ~~related costs, create a plan for council actions by the end of the~~
26 ~~first year after the initial meeting, with annual review, to implement~~
27 ~~recommendations for policy, regulatory, and resource changes~~
28 ~~needed to accomplish objectives, as well as each agency's~~
29 ~~responsibilities on the council.~~

30 ~~(8) Within current costs, or provided funding is available for~~
31 ~~related costs, and within three years of the initial meeting of the~~
32 ~~council, adopt a plan to reduce or end homelessness.~~

33 ~~(9) Discuss potential improvements or plans for discharge of~~
34 ~~people likely to become homeless after leaving institutions,~~
35 ~~including, but not limited to, prisons, crisis health care facilities,~~
36 ~~and foster care.~~

37 ~~(10) Gather needs assessments from local jurisdictions that are~~
38 ~~currently required to submit needs assessments to a state agency,~~
39 ~~including, but not limited to, city housing elements and community~~
40 ~~continuation of care.~~

1 ~~(11) Not later than January 1, 2015, create a centralized database~~
2 ~~on homelessness, provided federal funds or other nonstate moneys~~
3 ~~are available for that purpose.~~

4 ~~(12) Not later than January 1, 2017, assist in the coordination~~
5 ~~of a statewide continuum of care, provided funds are available.~~

6 ~~(13)~~

7 (6) Identify private and public funding partnerships.

8 ~~(b)~~

9 (c) The council may engage or accept the services of agency
10 personnel, contract with nonprofit organizations, or employ council
11 staff to operate, manage, or conduct the business of the council,
12 ~~provided that only if these services are provided by private,~~
13 ~~philanthropic, or other nonstate funding resources are available~~
14 ~~for that purpose; purpose or the Legislature makes a future~~
15 ~~appropriation for that purpose.~~

16 8263. Except as otherwise provided in this chapter, the council
17 shall operate within the current budget of each department and
18 agency represented. Each department and agency shall cooperate
19 with the council and furnish it with information and assistance that
20 is necessary or useful to further the purposes of this chapter.